



311 George St. N. Suite 200
Peterborough, ON K9J 3H3
T 705.876.8340 | F 705.742.8343
www.ecovueconsulting.com

August 2, 2023

Environmental Registry of Ontario
Municipal Services Office – Eastern Region
8 Estate Lane
Rockwood House
Kingston, ON
K7M 9A8

Attn: Damien Schaefer
Environmental Registry of Ontario

**Re: County of Peterborough Official Plan Update – Agricultural System Refinement
1789 Seventh Line
Part of Lots 23 & 24, Concession 6, Smith Ward, Township of Selwyn
EcoVue Reference 21-2153**

Dear Mr. Schaefer,

The following report provides site-specific information regarding the above-noted property as it relates to the refinement of the Provincial agricultural land base mapping in Peterborough County by way of their Official Plan Update. We wish to submit this report during the process to ensure that the Province is considering site-specific information for the subject property.

1.0 INTRODUCTION

Dan Rosborough (land owner) retained EcoVue Consulting Services to prepare a report to submit to the County of Peterborough and the Province of Ontario regarding the site-specific characteristics of his farm located at 1789 Seventh Line (Part of Lots 23 and 24, Concession 6, Geographic Township of Smith) in the Township of Selwyn (referred to in this letter as the “subject lands”) to supplement the County’s refinement process for the Provincial agricultural land base system as part of the Update to the County Official Plan.

More specifically, this report will provide justification for removing the area from the proposed Agriculture designation identified in the draft “Map SEL-2, Township of Selwyn Land Use Schedule”. Our rationale for removing the property from the proposed Agriculture designation and the Provincial agricultural land base is consistent with the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) 2020 Implementation Procedures.

1.1 Description of the Subject Lands

The Rosborough farm is approximately 288 acres (116.5 hectares), of which a large part of the property is covered by the Lakefield South Provincially Significant Wetland Complex, and additional unevaluated wetlands. Canadian Land Inventory (CLI) mapping identifies the majority of the subject lands as Class 3T and 4W, with a small portion classified as Organic soils. Class 3 soils have “moderately severe limitations that reduce the choice of crops or require special conservation practices”, while Class 4 soils have “severe limitations that restrict the range of crops or require special conservation practices or both”. The main limitation on the Class 3 lands is topography, and excess water on the Class 4 lands (directly related to the wetland features present). Existing buildings on the property include one (1) residential dwelling, two (2) agricultural structures and three (3) accessory structures.

In the current County of Peterborough Official Plan (CPOP), the subject lands are designated Prime Agriculture and Environmental Constraint Area according to Schedule “A1” – Land Use Plan – Rural Component Smith & Ennismore Wards. The Rosborough property is on the north-easternmost edge of a greater area currently designated Prime Agriculture in the CPOP. The lands located directly to the north and east of the property are designated Rural.

In the Provincial Agricultural Land Base (OMAFRA), the subject lands lie on the periphery of a large prime agricultural area. Provincial mapping of the subject lands includes areas of both “Prime Agriculture” and “Candidate” areas.

In the draft schedules for the new CPOP, the subject lands are designated Agriculture and Natural Core Area on Map ‘SEL-2’. The “Candidate” areas identified by the Province are wetland areas that have been proposed as part of the Natural Core Area of the Natural Heritage System in the new Official Plan. Within the areas proposed as Agriculture in the draft CPOP, the policies for Prime Agricultural lands apply.

In terms of local zoning, the property is located in the Agricultural Zone (A) and the Environmental Protection Zone (EP) in the Township of Selwyn Comprehensive Zoning By-law.

1.2 Background

Originally purchased by Mr. Rosborough's great-grandfather, the Rosborough family has owned the lands located at Part of Lots 23 and 24, Concession 6, since the early 1900s. The southern portion of Lot 23, Concession 6 was purchased between the 1940s and 1950s. The properties were then amalgamated in the 1970s, and the family continued to farm until 2008. Ownership of the lands was passed down from generation to generation, the most recent change of hands being to the Dan Rosborough and his wife in 1996.

Originally starting out as a dairy operation, the property housed 20 to 30 milking cows, with a portion of the lands being used to grow livestock feed (grain, corn, and hay). The dairy herd was sold in 1986, and replaced with a beef cow and calf herd. The beef cattle herd was operated until 2008, when the herd was sold, and the farm operation ceased. More recently, a portion of the lands have been leased to a local farmer and a cash cropping operation consisting of corn, soybeans, wheat, and hay has been established. Depending on precipitation levels throughout the growing season, between 80 and 110 acres of the land are workable, and are cultivated with soybeans, wheat, corn, and/or hay crops. The majority of the property is too wet for viable cropping, and additional topographic features further constrain crop production such as areas of shallow soils and bedrock.

In the opinion of EcoVue and the Rosborough family, designating the subject lands as Rural, and outside of the Provincial Agricultural Land Base would better reflect the agricultural capacity of the property. This designation would also provide a more suitable diversity of permitted uses, representing the most logical and efficient use of the subject lands.

2.0 ONTARIO PUBLICATION 856: IMPLEMENTATION PROCEDURES FOR THE AGRICULTURAL SYSTEM IN ONTARIO'S GREATER GOLDEN HORSESHOE

The implementation procedures provide supplementary direction to the refinement procedures referred to in the Growth Plan: "*Prime agricultural areas must be identified as directed in these implementation procedures to consistently protect and achieve geographic continuity of the agricultural land base*" (pg. 8). The overall intent of the policy and accompanying guidelines is to protect high quality farmland from outward population growth, thereby preventing fragmentation and conversion of prime agricultural areas into non-agricultural uses.

The Provincial agricultural land base and definition of “Prime Agricultural Areas” includes non-prime agricultural soils (CLI classes 4-7). The intent of this policy is to recognize the importance of rural areas in linking areas of prime agricultural soils (as well supporting the overall agri-food network):

s. 1.6: *“While protection of prime agricultural areas has been provincial policy since 1970s, the Agricultural System approach broadens the land protection concept by recognizing the important role of rural lands in agricultural production and the agri-food network. Even if rural lands do not include prime agricultural land (i.e. CLI Classes 1 to 3 land), these lands are often used to grow crops or raise livestock and may link prime agricultural areas into a continuous land base and/or support assets that are part of the agri-food network. In essence, they are integral to a functional agricultural land base”.*

While it is evident that it is important not to fragment agriculturally productive areas and prevent non-agricultural development that might inhibit these agricultural uses, removing the subject property from the system would not have this effect as the property is on the periphery of the system. A portion of the subject lands are currently under agricultural production, but the range of potential agricultural uses is severely limited by the wet conditions that predominate, as well as the areas of shallow soils and bedrock. Since the subject lands are located on the periphery of the agricultural land base and are marginal in terms of their ability to support agricultural uses, these lands are not integral to supporting the adjacent agricultural system or agri-food network.

Section 1.6 of the guidelines speaks further to the role of the elements of the agri-food network, as mapped by the Province:

s. 1.6: *A key focus of the Agricultural System approach is agricultural viability. To help support the integration of agricultural viability with the agricultural land base, OMAFRA has mapped elements of the agri-food network and identified a range of information and tools that may be used to support the agri-food sector. Municipalities and others can use the mapping and tools to identify existing agri-food clusters and assess the potential to develop new opportunities.*

The agri-food network includes: *“the infrastructure, services and other agri-food assets that are needed to sustain and enhance agriculture and the prosperity and viability of the broader agri-food sector”* (pg. 21). The current mapping of the system provided through the Agricultural System Portal does not identify any aspects of the agri-food network nearby to the subject lands. Therefore, there are no existing assets of the agri-food network that would be negatively affected by re-designating the subject lands.

The guidelines outline the process that OMAFRA followed in designating prime agricultural areas within the provincial system:

- s.2.1.1:**
- 1. Areas already designated as prime agricultural areas in approved official plans as per the most up-to-date mapping available to OMAFRA.*
 - 2. Areas identified by OMAFRA as meeting the definition of prime agricultural areas.*

The subject lands were previously identified in the local Official Plan as Prime Agriculture and are likely included in the provincial agricultural land base for this reason. According to the guidelines, approximately 83% of the prime agricultural areas shown on the provincial land base map were previously designated as such by local municipalities. It is unlikely that the subject lands would meet the definition of prime agricultural area on their own due to the presence of some lower quality soils (Class 4 and Organic), their location on the periphery of the system, as well as a lack of connection with any mapped elements of the agri-food network.

Also noteworthy is the description of the lands where the Prime Agriculture and Rural designations should be applied. The local policies in the CPOP state that:

- s. 6.2.1.1:** *The Prime Agriculture designation applies to areas where Class 1, 2 and 3 lands under the Canada Land Inventory Soil Capability for Agriculture or speciality crop land predominate;*
- s. 6.2.2.1:** *The Rural designation applies to areas where Class 4, 5, 6 and 7 and Organic soils under the Canada Land Inventory Soil Capability for Agriculture predominate and areas where previous non-farm development has effectively limited the future of intensive farm activity.*

It is difficult to determine whether class 1-3 lands predominate on the subject lands, as significant portions are identified as Class 4 and Organic soils. In addition, interviews were conducted with planners who practiced in the County of Peterborough during the 1980s and 1990s when local municipalities were required to add a Prime Agriculture designation to their Official Plans. According to these interviews, proper block mapping based on CLI and ground-truthing for prime agricultural areas was never undertaken, and the current designations, which reflect the work from the 1980s and 1990s, likely do not accurately reflect prime agricultural areas. Additionally, the Prime Agriculture designations were not subject to public review or an open Official Plan update process. Therefore, the Prime Agriculture designation may have been applied to the subject lands in error in the local Official Plan, and, therefore, the subsequent designation in the Provincial Agricultural System may also be in error.

The guidelines state that “[w]hile OMAFRA’s mapping is based on best available data and reasoned assumptions, like all models, it may not capture exceptions or unique local circumstances. This prime agricultural area mapping is intended to be reviewed and refined by municipalities based on the methodology outlined in Section 3.3” (pg. 18).

Additionally, “[t]echnical changes that may be based on updated mapping or data, as well as issues raised by landowners will be considered based on the criteria discussed in Section 3.3.2.1” (pg. 31).

During the refinement process, “refinements to prime agricultural areas...are to be based on consistency with the Agricultural System mapping method, purpose and outcomes” (pg. 36), including those based on “more precise local information”. The guidelines further outline the circumstances in which a refinement (reduction in prime agricultural land area) may be approved by the Province which include:

To make minor technical adjustments (e.g., to account for distortion from map projections or discrepancies based on map scales) (pg. 36).

In our opinion, the proposed removal of the Rosborough farm from the Provincial Agricultural System is consistent with the Agricultural System mapping method, purpose and outcomes and, given the scale of the proposed change, constitutes a minor technical adjustment. Overall, the removal meets the intent and purpose of the implementation guidelines.

3.0 SUMMARY

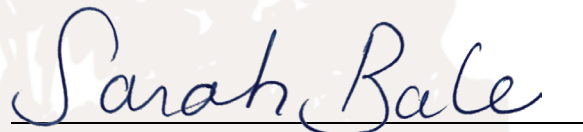
Based on the foregoing analysis, it is our opinion that the subject lands do not qualify as Prime Agricultural Lands by definition and are not integral to the geographic continuity or function of the Provincial Agricultural System. It is also clear from the description given by the landowner of the subject lands that the presence of swamp-lands, shallow soils, and bedrock greatly inhibit the range of possible or profitable agricultural uses. Therefore, the subject lands cannot support the agricultural system or regional food security in the long-term.

Removing the subject lands from the proposed Agriculture designation of the local Official Plan and Prime Agricultural Area of the Provincial Agricultural System (and re-designating the lands as Rural) constitutes a minor technical adjustment which is consistent with the Implementation Procedures for the Provincial Agricultural System.

If you have any questions, please do not hesitate to contact the undersigned.

Sincerely,

ECOVUE CONSULTING SERVICES INC.

A handwritten signature in blue ink that reads "Sarah Bale".

Sarah Bale M.E.S. (Planning), M.Sc.
Intermediate Planner

A handwritten signature in blue ink that reads "J. Kent Randall".

J. Kent Randall B.E.S. MCIP RPP
Principal Planner



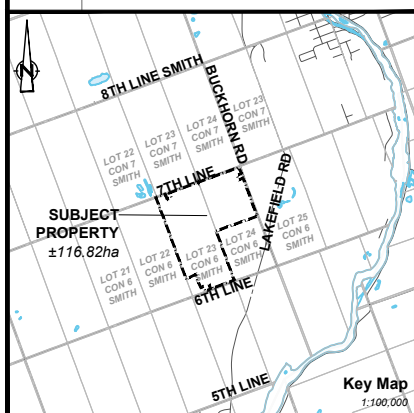
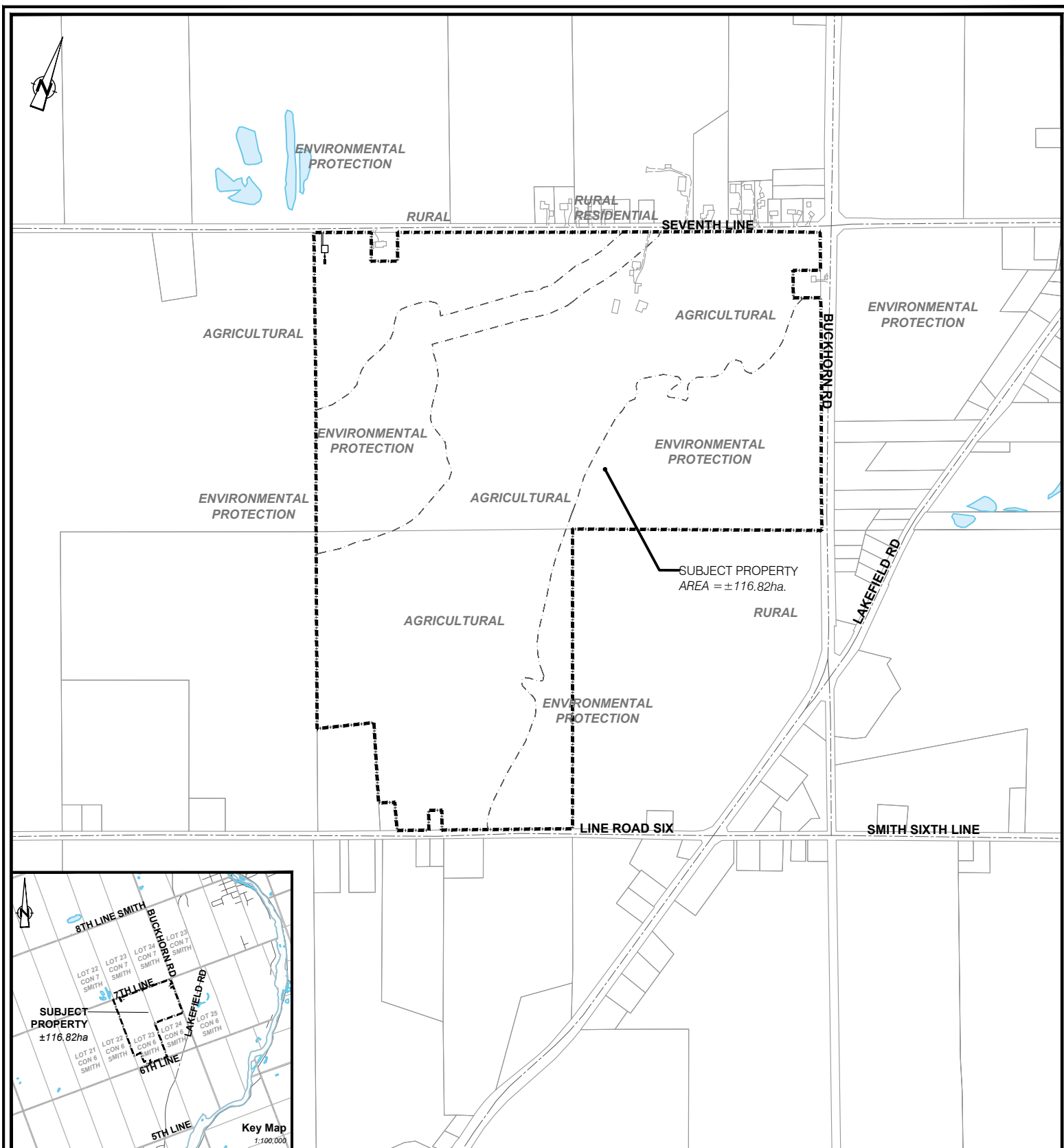
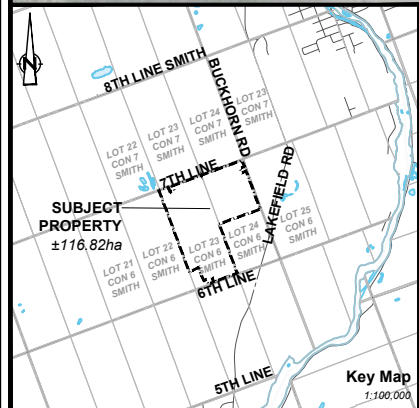


FIGURE - SITE LOCATION



TOWNSHIP OF SELWYN | COUNTY OF PETERBOROUGH



HORIZ. SCALE: 1:12,000